



Order Filed on March 8, 2021
by Clerk

Case No.: 19-14955
U.S. Bankruptcy Court
District of New Jersey

Chapter: 13

Hearing Date:
March 3, 2021 at 10:00 AM

Hon. Judge:
Rosemary Gambardella

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-2(c)

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Attorneys for Fay Servicing, LLC as Servicer for
Wilmington Trust National Association, not in its
individual capacity, but solely as Trustee of MFRA
Trust 2015-1

In Re:

Ronald Jones
Kathleen Jones

Debtor(s)

CONSENT ORDER RESOLVING MOTION TO VACATE STAY

The consent order set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: March 8, 2021

A handwritten signature in cursive script that reads "Rosemary Gambardella".

Honorable Rosemary Gambardella
United States Bankruptcy Judge

Applicant: Fay Servicing, LLC
Applicant's Counsel: Friedman Vartolo LLP
Debtor's Counsel: David L. Stevens, Esq.
Property Involved("Collateral"): 10 Wood Street, Wayne, NJ 07470

Relief sought:

- ✓ Motion for relief from the automatic stay
- Motion to dismiss
- Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☒ The Debtor(s) is/are overdue for 3 months, from **December 1, 2020** to **February 1, 2021**.
- ☒ The Debtor(s) is/are overdue for 3 payments at **\$4,155.34** per month.
- ☐ The Debtor(s) is/are due for _____ in accrued late charges.
- ☒ The Debtor(s) is/are due for **\$400.00** in attorney's fees and costs.
- ☐ Applicant acknowledges suspense funds in the amount of _____.

Total Arrearages Due: **\$12,866.02**

2. Debtor(s) must cure all post-petition arrearages, as follows:

- ☐ Immediate payment shall be made in the amount of _____. Payment shall be made no later than _____.
- ☒ Beginning on **March 1, 2021**, regular monthly mortgage payments shall continue to be made, in the amount of **\$3,809.48**, per the terms of the Note, Mortgage and/or payment change notices.
- ☐ Beginning on _____, additional monthly cure payments shall be made in the amount of _____ for _____ months.
- ☐ The amount of **\$12,866.02** shall be capitalized in the debtor's Chapter 13 plan. Said amount shall be set up on Trustee's ledger as a separate Claim. Debtor(s) shall file a Modified Plan within fourteen (14) days from the entry of this Order to account for the additional arrears to be paid to the secured creditor via Chapter 13 Plan and to adjust

monthly payments to the Chapter 13 Trustee accordingly.

3. Payments to the Secured Creditor shall be made to the following address:

✓ Payments: Fay Servicing, LLC
P.O. Box 814609
Dallas, TX 75381-4609

4. In the event of default:

☒ Should the Debtor(s) fail to modify the plan to include any of the above captioned payments, or if any regular monthly mortgage payment commencing after the cure of the post-petition delinquency is more than fourteen (14) days late, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor(s), and Debtor('s) attorney and the court shall enter an Order granting relief from the Automatic Stay.

☒ In the event the Debtor(s) converts to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within fourteen (14) days from the date of conversion in order to bring the loan contractually current. Should the Debtor(s) fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor(s), and Debtor('s) attorney and the court shall enter an Order granting relief from the Automatic Stay.

☒ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than fourteen (14) days late, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor(s), and Debtor('s) attorney and the court shall enter an Order granting relief from the Automatic Stay

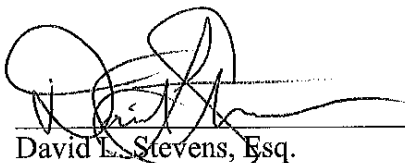
5. Award of Attorney's Fees:

The Applicant is awarded attorney's fees of _____ and costs of _____.

The fees and costs are payable:

- ☒ Attorney's fees and costs have been included in the Consent Order.
- ☐ Through the Chapter 13 plan. The fees/costs shall be set up as a s
separate claim to be paid by the Standing Trustee and shall be paid
as an administrative claim.
- ☐ To the Secured Creditor within _____ days
- ☐ Attorney's fees are not awarded.
- ☐ Movant reserves its right to file a Post-Petition Fee Notice for fees
and costs incurred in connection with the Motion for Relief.

The undersigned hereby consent to the form and entry of the foregoing order.



David L. Stevens, Esq.
Attorney for Debtor

/s/ Jonathan Schwalb, Esq.
Jonathan Schwalb, Esq.
Attorney for Secured Creditor

In re:
Ronald Jones
Kathleen Jones
Debtors

Case No. 19-14955-RG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin

Page 1 of 2

Date Rcvd: Mar 09, 2021

Form ID: pdf903

Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 11, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Ronald Jones, Kathleen Jones, 10 Wood Street, Wayne, NJ 07470-7348

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 11, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 9, 2021 at the address(es) listed below:

Name	Email Address
Allen J. Underwood, II	on behalf of Creditor Bascom Corporation ajunderwood@beckermeisel.com ajunderwood@ecf.courtdrive.com;mambrose@becker.legal
David E. Sklar	on behalf of Realtor John G Susani desklar@pbnlaw.com nvfuentes@pbnlaw.com;mpdermatis@pbnlaw.com;pnbalala@pbnlaw.com;sakelly@pbnlaw.com
David L. Stevens	on behalf of Joint Debtor Kathleen Jones dstevens@scura.com ecfbkfilings@scuramealey.com;lhague@scura.com;mduran@scura.com;vmajano@scura.com;rshah@scura.com;martinezcr93878@notify.bestcase.com
David L. Stevens	on behalf of Debtor Ronald Jones dstevens@scura.com ecfbkfilings@scuramealey.com;lhague@scura.com;mduran@scura.com;vmajano@scura.com;rshah@scura.com;martinezcr93878

District/off: 0312-2

User: admin

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Date Rcvd: Mar 09, 2021

Form ID: pdf903

Total Noticed: 1

@notify.bestcase.com

Denise E. Carlon

on behalf of Creditor Wilmington Savings Fund Society FSB d/b/a Christiana Trust not in its individual capacity but solely as trustee for Bantam Funding Trust 2018-1 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com

Jonathan C. Schwalb

on behalf of Creditor Fay Servicing LLC bankruptcy@friedmanvartolo.com

Jonathan C. Schwalb

on behalf of Creditor Fay Servicing LLC as servicer for Wilmington Trust, National Association, not in its individual capacity, but solely as trustee for MFRA Trust 2015-1 bankruptcy@friedmanvartolo.com

Jonathan C. Schwalb

on behalf of Creditor Planet Home Lending LLC bankruptcy@friedmanvartolo.com

Marie-Ann Greenberg

magecf@magtrustee.com

Rebecca Ann Solarz

on behalf of Creditor Wilmington Savings Fund Society FSB d/b/a Christiana Trust not in its individual capacity but solely as trustee for Bantam Funding Trust 2018-1 rsolarz@kmlawgroup.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 11